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**BEFORE THE
SUBCOMMITTEE ON FISHERIES CONSERVATION,
WILDLIFE AND OCEANS
COMMITTEE ON RESOURCES
U.S. HOUSE OF REPRESENTATIVES**

HEARING ON H.R. 3378, the MARINE TURTLE CONSERVATION ACT OF 2003

MARCH 25, 2004

Mr. Chairman and Members of the Subcommittee, thank you for inviting me to present testimony on H.R. 3378, the Marine Turtle Conservation Act of 2003. I am Dr. Rebecca Lent, Deputy Assistant Administrator for the National Marine Fisheries Service (NOAA Fisheries).

NOAA Fisheries shares jurisdiction for the conservation of marine turtles with the U.S. Fish and Wildlife Service (FWS). While the FWS focuses its efforts on nesting beach conservation activities, NOAA Fisheries primarily works to conserve and recover these species in their marine habitats. Addressing threats in both the marine and terrestrial environments is critical to restoring and protecting marine turtle populations.

Marine turtles have been part of our global natural and cultural heritage for 250 million years. They have changed little through evolutionary time - they are large, air-breathing reptiles that depend on our bays, estuaries, and oceans for feeding, migrating, and breeding. They are intimately tied to sandy coastal beaches where they crawl ashore to deposit their eggs. These animals are long-lived and highly migratory. To a great extent, their survival depends on the waters and nesting beaches of many nations to survive.

Conserving species that are so widely distributed and highly migratory is a global challenge. NOAA Fisheries has focused its efforts primarily on reducing bycatch of marine turtles in domestic and international fisheries, such as trawls, longlines, and gillnets. The implementation of Turtle Excluder Devices (TEDs) to reduce marine turtle bycatch in global shrimp fisheries is a prominent example of a complex problem solved by technological innovation and joint partnerships between NOAA, the fishing industry and the conservation community. Additionally, recent studies conducted or supported by NOAA Fisheries and the longline fishing industry indicating that large circle hooks in combination with certain bait types significantly reduce sea turtle bycatch and injury in longline fisheries are another example of problem solving through partnerships and creative technological solutions.

NOAA has also worked to ensure that other domestic activities that are conducted in marine environments are undertaken in a manner that does not interfere with marine turtle migration, feeding, and reproduction. However, addressing threats in the marine environment will only bring us halfway to ensuring the long-term survival of marine turtles. Since these species must

come ashore to nest on coastal beaches, equal effort must be expended in protecting nesting females, their eggs, and their hatchlings, as well as ensuring that nesting beach habitat is preserved. Likewise, the United States cannot conserve marine turtles by working only within our national borders. As a global resource, we must fully engage the international community at all levels of marine turtle conservation and recovery. H.R. 3378 is a laudable step toward fostering greater protection of nesting turtles and their nesting habitat outside the United States.

Prime marine turtle nesting habitat and critically important populations of nesting marine turtles are found in developing countries with relatively few measures for turtle protection, habitat conservation, and enforcement. We can successfully protect marine turtles when multi-national conservation efforts both on the beach and in the water are supported. An example is the joint Mexico-United States cooperative conservation program for the Kemp's ridley turtle at Rancho Nuevo. Beginning in the 1960s, Mexico established a conservation program at Rancho Nuevo, which was later financially supported by the FWS and NOAA Fisheries. These efforts, combined with TED requirements, have resulted in positive trends in the nesting population of these turtles.

H.R. 3378 could provide additional support to conservation, survey, and monitoring activities aimed at marine turtle recovery in those areas where conservation needs are the greatest, such as Mexico, Central and South America, and Southeast Asia. The goal of these efforts is to assist and enhance efforts to reduce poaching, improve management, monitoring, and assessment activities on nesting beaches, as well as support local community conservation efforts.

NOAA is committed to working in full partnership with the FWS to meet our mutual objectives of species recovery, long-term survival, and de-listing marine turtles from the Endangered Species Act (ESA). Marine turtles serve as an important indicator of the health of marine ecosystems, traveling across vast oceans and visiting the waters and beaches of many nations throughout their lifetime. NOAA supports H.R. 3378 as we expect that it will help to achieve the recovery goals of many important species of marine turtles, but we note that the Administration has concerns with the bill. We would like to remind the Subcommittee that the funding authorized by this bill is not in the President's Fiscal Year 2005 budget. In addition, the Department of Justice advises that the mandatory reporting to Congress, of recommendations to improve the Act, included in Section 8 of H.R. 3378, may raise constitutional concerns. We are available to work with the Committee on issues of concern raised in the bill.

Thank you, Mr. Chairman, for this opportunity to provide views on H.R. 3378. This concludes my testimony, and I would be pleased to respond to any questions that Members of this Subcommittee may have. Thank you very much.